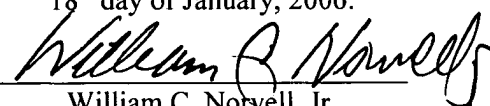




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William C. Norvell, Jr.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	LOUIS J. WARDLAW	§	
		§	
		§	
		§	
FILING DATE:	JUNE 20, 2003	§	ATTORNEY DOCKET NO.
		§	002663/030490
SERIAL NO.:	10/600,921	§	
		§	ART UNIT 2836
TITLE:	APPARATUS AND METHOD	§	EXAMINER: PAUL M. WEST
	FOR ELEVATED	§	
	TEMPERATURE WELD TESTING	§	

**Mail Stop Non-Fee Amendment**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**TRANSMITTAL LETTER**

Sir:

Enclosed herewith regarding the above-identified patent are:

- (1) Response to Office Action dated November 28, 2005.

The commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account 02-2265. A duplicate copy of this letter is enclosed for accounting purposes.

Date

1-18-06



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Registration No. 26,212

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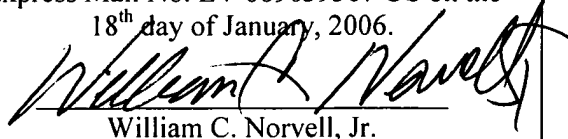
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APPLICANTS: LOUIS J. WARDLAW

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EXAMINER: PAUL M. WEST

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RESPONSE TO OFFICE ACTION

Sir:

The Office Action dated November 28, 2005, has been received and carefully studied.  
Reconsideration of the rejection of all pending claims is respectfully requested.

The Examiner has rejected Claims 1-8 under 35 U.S.C. 103 (a), citing Wardlaw '135 in  
view of Henry. First, the teachings of Henry are strictly limited to the use of a combination of a

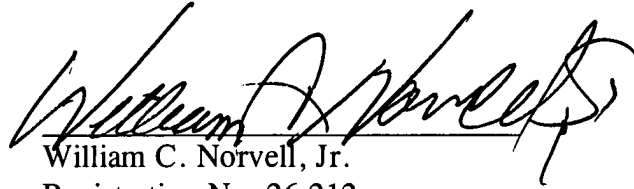
non-chlorine-containing gas and a refrigerant lubricant in a method for detection of leaks in a refrigerant system. The art area of Henry's teachings is, thus clearly non-analogous. It is a long distance, technically, from being an ordinary artisan in the area of air conditioning and similar systems, and an ordinary artisan of a oil field well head welding. Secondly, Henry's methods specifically require the incorporation of a lubricant. There is no teaching in Henry of a marker composition being only a non-chlorine containing gas. Thus, to apply Henry to the present claims would require modification, to delete the lubricant, which is, of course, not taught by either reference. Where is it taught in either references to make such a modification? Additionally, Henry teaches a method applicable to temperatures of a very cold nature, and close to freezing, whereas Applicant's claims are directed to a method where the pressurized gas and the non-chlorine containing marker are injected through an injection port while the weld is at an "elevated" temperature, i.e. at a temperature clearly not contemplated or taught by Henry. In fact, Claim 4 of the present application specifically recites that the wellhead is at "substantially 500 degrees F." while the gas is in contact with a weld. If Henry's composition were used in Applicant's well head welding technique, the lubricant composition would adversely impact not only the welding procedure (i.e., susceptible of causing a fire during the high temperature welding technique), but the integrity of the completed weld itself, by bleeding through the weld and/or abating or delaying the solidification stage of the completed weld. In fact, use of Henry's complete composition would defeat the entire purpose of Applicant's welding method by causing the detection composition to itself contain a component likely to contribute to a weld deficiency, and a leak.

It is believed that these claims are clearly allowable over the references cited by the Examiner. Accordingly, an early Notice of Allowance is solicited.

Respectfully submitted,

Date

1-18-06



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